

REMARKS/ARGUMENTS

Claims 1-15 were pending in the present application. By virtue of this response, claim 11 has been cancelled, claims 3, 5, 6, 10, 14 and 15 have been amended, and new claims 16-39 have been added. Accordingly, claims 1-10 and 12-39 are currently under consideration. Amendment and cancellation of certain claims is not to be construed as a dedication to the public of any of the subject matter of the claims as previously presented. No new matter has been added. Note that claims 16 and 17 contain the same limitations as original claims 5 and 6, respectively.

Rejections under 35 USC 102

Claims 1, 3, 4, and 10-15 are rejected under 35 U.S.C. §102(b) over U.S. Patent No. 5,995,315 ("Fasen"). Fasen teaches determining a servo system error signal based on the difference between a normalized current head position and a normalized desired head position. 7:48-50. In contrast to the present invention, Fasen does not disclose or suggest determining signal quality for read data signals, or adjusting the position of the data head relative to the data track using the signal quality. Moreover, in Fasen the error is based on positions that are determined from servo information read from a servo track, not data read from a data track. Thus, as to independent claims 1 and 14, Fasen does not disclose or suggest "determining signal quality for read data signals produced by a data head reading data from a data track," or "adjusting the position of the data head relative to the data track using the signal quality." Similarly, with respect to independent claim 15, Fasen does not disclose or suggest "a data channel unit to produce read data signal quality values from . . . read data signals" that are "from data recorded on a data track," or "us[ing] the signal quality values to control adjustment of the position of the data head structure relative to the data track. . . ."

The Examiner objected to claims 2 and 5-9 as being dependent upon a rejected base claim, but states that claims 2 and 5-9 would be allowable if rewritten to include the limitations of the base and intervening claims. As discussed above, base claim 1 is allowable. Thus, Applicant respectfully requests the Examiner to withdraw the objections to claims 2 and 5-9. Applicant has

amended claim 3 to depend on claim 2 in order to provide antecedent basis. For at least the foregoing reasons, claim 3 should be found allowable as well.

As to claims 4 and 10-13, those claims are allowable for at least the reasons provided for base claim 1. (Note that claim 11 has been cancelled for being substantially redundant of limitations already found in base claim 1.)

CONCLUSION

In view of the above, each of the presently pending claims in this application is believed to be in immediate condition for allowance. Accordingly, the Examiner is respectfully requested to withdraw the outstanding rejection of the claims and to pass this application to issue. If it is determined that a telephone conversation would expedite the prosecution of this application, the Examiner is invited to telephone the undersigned at the number given below.

In the unlikely event that the transmittal letter is separated from this document and the Patent Office determines that an extension and/or other relief is required, applicant petitions for any required relief including extensions of time and authorizes the Assistant Commissioner to charge the cost of such petitions and/or other fees due in connection with the filing of this document to Deposit Account No. 03-1952 referencing docket no. 249212015000. However, the Assistant Commissioner is not authorized to charge the cost of the issue fee to the Deposit Account.

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Respectfully submitted,

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